

## Remarks/Arguments

Applicants have amended claim 44 to attend to an inadvertent error in properly referencing the intended independent claim. Accordingly, claims 38 to 56 remain pending in this patent application. Applicants hereby respond to each and every point raised by the Examiner as follows:

### I. Rejection of Claims

Claims 43, 46 to 48, and 50 to 56 have been rejected under 35 U.S.C. §103 as being allegedly unpatentable over Samonides in view of McNaul.

#### A. Independent claim 43

This claim recites the method feature of applying a film-forming material onto a surface of the pressure-sensitive adhesive *while the pressure-sensitive adhesive is in a non-final state*.

As used herein, the term "non-final" is intended to characterize a state of the pressure-sensitive adhesive when it is not fully developed, i.e., when it has not matured (by chemical curing mechanism or the like) to a point where it is capable of providing the required adhesive properties in the final product, e.g., the pressure-sensitive adhesive construction. Applicants submit that the step of applying the film-forming material, as carried out in either the multi-step or single step processing technique specifically described in this patent application, takes place when the pressure-sensitive is in a non-final state. This is so in each instance because the pressure-sensitive adhesive material (in the form of a hot melt or the like) has been provided only moments before the film-forming material is applied.

As noted in Applicants' earlier amendment of October 7, 2002, Samonides fails to disclose or even remotely suggest the concept of applying a film-forming material onto a surface of a pressure-sensitive adhesive material, yet alone the more specific operation of doing this at a particular stage in time (i.e., when the pressure-sensitive adhesive is in a non-final state).

McNaul discloses constructing a printable laminate construction from *preformed* assembly members, e.g., plastic film, application tape, and carrier tape. McNaul neither discloses nor suggests a method of forming a pressure-sensitive adhesive layer by the steps of applying a pressure-sensitive adhesive material (in a non-preformed state) and then applying a film-forming material (again in a non-preformed state) to a

surface of the pressure-sensitive adhesive material. Further, McNaul also necessarily fails to disclose or suggest the more detailed method of applying the film-forming material when the pressure-sensitive adhesive is in a non-final state.

In view thereof, Applicants submit that one having ordinary skill in that art would not find Applicants' invention as recited in claim 43 to be obvious in view of the combination of Samonides and McNaul, as neither provides any motivation to produce a pressure-sensitive adhesive construction according to the manner claimed. Applicants, therefore, respectfully request that the rejection of independent claim 43 under 35 U.S.C. §103 be reconsidered and withdrawn.

B. Independent Claim 46

This claim recites *a continuous method* for forming an overlaminated pressure-sensitive adhesive construction that involves, inter alia, the steps of: (1) applying a pressure-sensitive adhesive material to a release surface; and (2) applying a film forming material onto a surface of the pressure-sensitive adhesive material. As noted in the preamble of the claim, this methodology of steps is carried out in a *continuous* manner.

As noted above, Samonides fails to disclose or even remotely suggest the concept of applying a film-forming material to a surface of a pressure-sensitive adhesive material, yet alone doing this as part of a continuous operation. Also, as noted above, McNaul fails to disclose a method that involves the use of non-preformed materials, such as the pressure-sensitive adhesive material and the film forming material, to form a pressure-sensitive adhesive. McNaul necessarily further fails to disclose the more specific concept of doing this as part of a continuous operation.

In view thereof, Applicants submit that one having ordinary skill in that art would not find Applicants' invention as recited in claim 46 to be obvious in view of the combination of Samonides and McNaul, as neither provides any motivation to produce a pressure-sensitive adhesive construction according to the manner claimed. Applicants, therefore, respectfully request that the rejection of independent claim 44, and claims 46 to 48 and 50 to 56, under 35 U.S.C. §103 be reconsidered and withdrawn.

II. Allowed Claims

Applicants acknowledge with appreciation the noted allowance of claims 38 to 42, and hereby accept the same

III. Allowable Claims

Applicants acknowledge with appreciation the Examiner's noted allowability of claims 44, 45 and 49 if rewritten into independent form. Applicants, however, believe that these claims are allowable by virtue of their dependence from respective independent claims 43 and 46 for the reasons presented above in Section I of this Amendment. In view thereof, Applicants elect not to rewrite these claims at the present time.

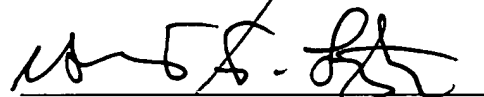
IV. Conclusion

Applicants accept the allowance of claims 38 to 42, and respectfully request that the rejection of claims under 35 U.S.C. §103 be reconsidered and withdrawn, and that the remaining claims 43 to 56 pending in this patent application be passed to allowance.

The Commissioner is hereby authorized to charge any additional fees to Deposit Account 10-0440, or to credit any overpayment to the same. A duplicate copy of this paper is enclosed.

Respectfully submitted,

Date: 4/22/03



GRANT T. LANGTON  
Reg. No. 39,739

JEFFER, MANGELS, BUTLER & MARMARO LLP  
Seventh Floor  
1900 Avenue of the Stars  
Los Angeles, CA 90067  
Tel: (310) 203-8080